

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

RALPH S. JANVEY, in his capacity as Court-appointed receiver for the Stanford Receivership Estate; SANDRA DORRELL; SAMUEL TROICE; and MICHOACAN TRUST; individually and on behalf of a class of all others similarly situated,

Plaintiffs,

V.

GREENBERG TRAURIG, LLP;
GREENBERG TRAURIG, PA; and
YOLANDA SUAREZ.

Defendants.

[Decorative flourish]

CIVIL ACTION NO. 3:12-cv-04641-N

**THE RECEIVER'S RESPONSE TO GREENBERG TRAUIG'S
MOTION FOR SUMMARY JUDGMENT**

Pursuant to Local Rule 56.4, Plaintiff Ralph S. Janvey, files this Response to Greenberg Traurig's Motion for Summary Judgment (Doc. No. 340).

Greenberg Traurig's Motion for Summary Judgment should be denied in its entirety for the reasons set forth in the Receiver's Response to Greenberg Traurig's Motion for Summary Judgment and Brief in Support filed concurrently with this response. In particular, the motion should be denied for the following reasons:

- Greenberg knowingly participated in Allen Stanford and Yolanda Suarez’s breaches of fiduciary duty.
- Greenberg knew that Allen Stanford and Yolanda Suarez were breaching their fiduciary duties.

- Greenberg substantially participated in Allen Stanford's and Yolanda Suarez's breaches of fiduciary duty.
- Greenberg's conduct need not cause the damages; Greenberg is liable for damages caused by the breaches of fiduciary duty.
- The Receiver's damages are indivisible.
- Greenberg's negligence caused damages to the Receivership estate.
 - Greenberg's negligence was a proximate cause of the Receiver's damages.
 - Greenberg's clients would have acted differently had it provided competent advice.
 - Greenberg's negligence contributed to the Receivership Estate's indivisible injuries for which Greenberg is jointly and severally liable.
- The Receiver sues for recoverable damages.
 - Increased liabilities is a valid measure of damages.
 - Greenberg misses the point in arguing that it is not bound by the SEC judgment.
- Greenberg is guilty of negligent supervision.
- Greenberg is not entitled to partial summary judgment.
- The Hunton judgment, which expressly reserves "any claims that Plaintiffs have or may have against Greenberg Traurig LLP (Greenberg) . . . including but not limited to any claims or causes of action based on the conduct of Carlos Loumiet while employed or affiliated with Greenberg," is not res judicata as to claims against Greenberg based on Loumiet's conduct.

For these reasons, and the reasons set forth in the brief and appendix filed in support of this response, Plaintiff respectfully requests that Greenberg's motion for summary judgment be denied.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of August, 2019 I electronically filed the foregoing document with the Clerk of the Court, using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Judith R. Blakeway
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